

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA**

On June 29, 2018, defendant made her initial appearance and was arraigned in the above-entitled action. AUSA Brandi Sasse Russell appeared on the Government's behalf. Attorney Thomas Glass appeared on defendant's behalf.

Prior to her initial appearance, defendant was in State custody. She was being held at the Bismarck Transition Center in “inmate status.” After the Indictment in this case was returned and an arrest warrant issued, a detainer was filed by the United States with the North Dakota Department of Corrections. Pursuant to the Interstate Agreement on Detainers Act (“IADA”), defendant’s appearance before this court for her initial appearance and arraignment was secured by a writ of habeas corpus *ad prosequendum*.

At her initial appearance and arraignment, defendant was advised of her rights under the IADA to continued federal custody until the charges set forth in the Indictment are adjudicated. Defendant waived in open anti-shuttling provisions of the IADA and requested to be returned State custody.

Based on defendant's waiver, the court finds that knowingly, voluntarily, and upon advice of counsel waived the anti-shutting provisions of the IADA and in open court and agreed to return

to the custody of the State of North Dakota (the “sending state” under the IADA) pending further proceedings in this case initiated by the United States (the “receiving state” under the IADA).

Accordingly, the court **ORDERS** that defendant shall be returned to the “sending state” under the IADA pending further proceedings or until further order of the court. Further, pursuant to defendant’s waiver, the return of the defendant to her place of incarceration pending trial shall not be grounds under the IADA for dismissal of the charges set forth in the Indictment.

Dated this 29th day of June, 2018.

/s/ Charles S. Miller, Jr.

Charles S. Miller, Jr., Magistrate Judge
United States District Court